

**BOARD OF COUNTY COMMISSIONERS, UTAH COUNTY, UTAH**  
**MINUTES OF PUBLIC MEETING**  
**COMMISSION CHAMBERS, ROOM 1400**  
**OF THE UTAH COUNTY ADMINISTRATION BUILDING**  
**January 14, 2014 - 9:00 A.M.**

**PRESENT:** COMMISSIONER GARY J. ANDERSON, CHAIR  
COMMISSIONER LARRY A. ELLERTSON, VICE-CHAIR  
COMMISSIONER DOUG WITNEY, CHAIR

**ALSO PRESENT:**

E. Kent Sundberg, Civil Division Chief Attorney  
David Shawcroft, Utah County Deputy Attorney  
Robert J. Moore, Utah County Deputy Attorney  
Paul Jones, Utah County Deputy Attorney  
Scott C. Hogensen, Chief Deputy Clerk/Auditor  
Julie Rollins, Utah County Purchasing Agent  
Peter A. Jeppsen, Utah County Assessor's Office  
Jim Stevens, Utah County Assessor's Office  
Dr. Joseph K. Miner, Health Department Exec. Director  
Matthew Phillips, Utah County Health Department  
Richard Nance, Drug&Alcohol Prevention&Treatment  
Neil Peterson, Information Systems Director  
Lana Jensen, Utah County Personnel Director

Richard Nielson, Utah County Public Works Director  
Jeff Smith, Utah County Recorder  
Andrea Allen, Utah County Recorder's Office  
James O. Tracy, Utah County Sheriff  
Dalene Higgins, Utah County Sheriff's Office  
Gary Ratcliffe, Utah County Surveyor  
Robert C. Kirk, Utah County Treasurer  
Heather Jackson, Eagle Mountain City Mayor  
Clark Merkley, Leavitt Group Insurance Advisors  
Eldon A. Neves, Citizens for Rural Utah  
Tyler Young, -No further information given-  
Mike Stansfield, Fairways Media  
Renée Huggins-Caron, Clerk/Auditor Admin. Assist.

Commissioner Anderson called the meeting to order at 9:02 A.M. and welcomed those present. The following matters were discussed:

**PRAYER/READING/THOUGHT:** Larry A. Ellertson, Utah County Commissioner

**PLEDGE OF ALLEGIANCE:** Dr. Joseph K. Miner, Utah County Health Department Executive Director

**CONSENT AGENDA**

- 1. DECLARE SPECIFIED ITEMS (OFFICE FURNITURE) AS SURPLUS TO BE DISPOSED OF VIA PUBLIC AUCTION**
- 2. DECLARE SPECIFIED ITEMS (CHAIRS AND ELECTRONICS) AS SURPLUS TO BE DISPOSED OF VIA PUBLIC AUCTION**
- 3. DECLARE SPECIFIED COPY MACHINE AS SURPLUS TO BE DISPOSED OF AS JUNK**
- 4. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN AGREEMENT WITH COPPER GRILL CATERING TO PROVIDE BREAKFAST FOR A TRAINING MEETING OF THE UTAH COUNTY STORM WATER COALITION ON FEBRUARY 4, 2014**
- 5. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN THE AGREEMENT WITH THE UTAH STATE DEPARTMENT OF COMMERCE FOR THE INFORMATION SYSTEMS DEPARTMENT TO OPERATE AND MANAGE THE UTAH STATEWIDE PAWNED PROPERTY DATABASE**

UTAH COUNTY BOARD OF COMMISSIONERS

MINUTES - January 14, 2014

Page 2

6. **ABATE PERSONAL PROPERTY ACCOUNTS ATTACHED FOR THE YEARS INDICATED, HAVING BEEN IDENTIFIED AS UNCOLLECTIBLE; THERE ARE NO ASSETS AVAILABLE**
7. **APPROVE REDUCING THE PENALTY IN THE AMOUNTS LISTED FOR THE ATTACHED PERSONAL PROPERTY ACCOUNTS, HAVING BEEN IDENTIFIED AS MEETING THE QUALIFICATIONS UNDER ORDINANCE NO. 2010-4 AND RESOLUTION NO. 2011-64 OF THE UTAH COUNTY CODE**
8. **APPROVE TAX CREDITS AND REFUNDS RECOMMENDED BY THE COUNTY TREASURER'S OFFICE IN CANCELLATION LETTER NO. 20298, DATED JANUARY 8, 2014**
9. **APPROVE PROPERTY TAX ACTIONS CONTAINED IN RECOMMENDATION LETTER NO. 2014-1**  
*(Continued from the January 7, 2014 Commission meeting)*

Commissioner Ellertson suggested Recommendation Letter No. 2014-1 be approved with one modification, detailed in his motion below.

Commissioner Ellertson made the motion to approve the Property Tax Actions contained in Recommendation Letter No. 2014-1 with the exception of Serial Parcel No. 36:864:0016 belonging to Andrew M. and Jenelle L. Young, which would be approved with the note to accept and abate any associated interest and/or penalties, as detailed in Consent Agenda Item No. 9. The motion was seconded by Commissioner Witney and carried with the following vote:

AYE: Gary J. Anderson  
Larry A. Ellertson  
Doug Witney  
NAY: None

AGREEMENT NOS. 2014-24 and 2014-25  
APPROVED WITH EXCEPTIONS

10. **APPROVE THE MINUTES OF THE DECEMBER 17, 2013 COMMISSION MEETING**
11. **RATIFICATION OF PAYROLL**  
Period 1      2 Checks: \$ 533.65      1,056 Total Deposits: \$1,389,361.33      Total: \$1,389,894.98  
Federal Payroll Taxes      Total: \$ 197,392.38
12. **RATIFICATION OF WARRANT REGISTER SUMMARY**

Register No. 11	January 06, 2014	Direct Deposit:18566-18569	Total: \$	1,452.77
Register No. 12	January 06, 2014	Check Nos. 189491-189525	Total: \$	44,144.12
Register No. 13	January 06, 2014	Check Nos. 189526-189541	Total: \$	27,178.01
Register No. 14	January 06, 2014	Check Nos. 189542-189549	Total: \$	9,179.00
Register No. 15	January 07, 2014	Purchasing Cards 1215-1215	Total: \$	150.02
Register No. 16	January 06, 2014	Direct Deposit:18570-18571	Total: \$	5,195.44
Register No. 17	January 07, 2014	Check Nos. 189550-189557	Total: \$	5,595.00
Register No. 18	January 07, 2014	Check Nos. 189558-189568	Total: \$	48,528.79
Register No. 19	January 08, 2014	Check Nos. 189569-189569	Total: \$	1,725.00
Register No. 20	January 08, 2014	Purchasing Cards 1216-1220	Total: \$	24,266.48
Register No. 21	January 08, 2014	Direct Deposit:18572-18578	Total: \$	4,286.46
Register No. 22	January 08, 2014	Check Nos. 189570-189580	Total: \$	32,189.33
Register No. 23	January 08, 2014	Check Nos. 189581-189581	Total: \$	5.91
Register No. 24	January 08, 2014	Check Nos. 189582-189586	Total: \$	2,233.00

# UTAH COUNTY BOARD OF COMMISSIONERS

MINUTES - January 14, 2014

Page 3

Register No. 25	January 09, 2014	Check Nos. 189587-189588	Total: \$ 5,526.00
Register No. 26	January 09, 2014	Check Nos. 189589-189589	Total: \$ 5,668.37
Register No. 27	January 09, 2014	Check Nos. 189590-189597	Total: \$ 21,333.82
Register No. 28	January 09, 2014	Check Nos. 189598-189650	Total: \$ 2,292.00
Register No. 29	January 09, 2014	Direct Deposit:18579-18589	Total: \$1,033,807.27
Register No. 30	January 09, 2014	Check Nos. 189651-189661	Total: \$ 72,679.90
Register No. 31	January 10, 2014	Direct Deposit:18590-18594	Total: \$ 3,850.18
Register No. 32	January 10, 2014	Direct Deposit:18595-18596	Total: \$ 495.16
Register No. 33	January 10, 2014	Check Nos. 189662-189683	Total: \$ 6,010.34
Register No. 34	January 10, 2014	Check Nos. 189684-189686	Total: \$ 194.00
Register No. 35	January 10, 2014	Direct Deposit:18597-18597	Total: \$ 59,185.94
Register No. 36	January 10, 2014	Purchasing Cards 1221-1239	Total: \$ 1,978.62
Register No. 37	January 10, 2014	Check Nos. 189687-189700	Total: \$ 868,875.00
Register No. 38	January 10, 2014	Check Nos. 189701-189735	Total: \$ 109,272.23
			<b>Total: \$2,397,298.16</b>

Consent Agenda Item Nos. 1 through 12 were approved as written, with changes noted to Consent Agenda Item No. 9. Commissioner Anderson recommended the following Regular Agenda items be moved to Consent:

1. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN A RETIREMENT PLAN CONSULTING SERVICES AGREEMENT WITH NFP SECURITIES AND ITS REPRESENTATIVE JEFFREY SCOTT OF FIRSTWEST BENEFITS SOLUTIONS (DBA FIRSTWEST RETIREMENT SOLUTIONS) TO PROVIDE INDIVIDUAL ADVICE SERVICES TO PLAN PARTICIPANTS**  
*(Continued from the December 10 and December 17, 2013 Commission meetings)*
3. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN A 36-MONTH MAINTENANCE AGREEMENT WITH VALCOM FOR A C6275 COPIER, SERIAL NO. NMC04514, LOCATED IN THE CLERK/AUDITOR'S OFFICE - ELECTIONS**
5. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN A MAINTENANCE AND SUPPORT AGREEMENT FOR DATA STORAGE WITH EVERSYNC SOLUTIONS INC.**  
Commissioner Ellertson asked whether this item is a renewal agreement, and Utah County Information Systems Director Neil Peterson responded in the affirmative from the audience.
7. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN THE SUBDIVISION IMPROVEMENT AND WARRANTY - CASH BOND DEVELOPMENT AGREEMENT FOR AMENDED PINE GROVE PLAT "A," AN AMENDMENT TO LOT 2, FOR \$98,703.00**
8. **ADOPT A RESOLUTION APPROVING THE SECOND AMENDMENT TO AGREEMENT NO. 2010-629 BETWEEN UTAH COUNTY AND SARATOGA SPRINGS**

## ACTIONS TAKEN

Consent Agenda Item Nos. 1, 2 and 3 were declared as surplus; Nos. 4 and 5 were approved and authorized; No. 6 was abated; Nos. 7, 8 and 10 were approved; No. 9 was approved with changes; and Nos. 11 and 12 were ratified. Regular Agenda Item Nos. 1, 3, 5 and 7 were approved and authorized; and No. 8 was adopted.

**AGREEMENT NOS.:** 2014-16, 2014-17, 2014-18, 2014-19, 2014-20, 2014-21, 2014-22, 2014-23, 2014-24, 2014-25, 2014-26, 2014-27, 2014-28, 2014-29 and 2014-30

**RESOLUTION NO.:** 2014-3

**REGULAR AGENDA**

**2. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN THE PROPOSAL AND AGREEMENT FOR TIME AND MATERIAL MAINTENANCE SERVICE WITH CES&R FOR THE XEROX 510 SYSTEM, SERIAL NO. MDH001382, LOCATED IN THE RECORDER'S OFFICE**

Utah County Recorder Jeff Smith and Utah County Purchasing Agent Julie Rollins responded to Commissioner Ellertson's questions regarding the period of time on the agreement, explaining that the contract is back-dated.

**Commissioner Ellertson made the motion to approve and authorize the proposal and agreement for time and material maintenance service with CES&R for the system located in the Recorder's Office as identified in Regular Agenda Item No. 2. The motion was seconded by Commissioner Witney and carried with the following vote:**

**AYE: Gary J. Anderson  
Larry A. Ellertson  
Doug Witney  
NAY: None**

AGREEMENT NO. 2014-31

**4. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN THE AGREEMENT BETWEEN UTAH COUNTY AND THE NATIONAL ASSOCIATION OF COUNTY AND CITY HEALTH OFFICIALS (NACCHO)**

Commissioner Ellertson asked about the Utah County Health and Justice Building address listed within the agreement as opposed to the Utah County Administration Building, and Utah County Deputy Attorney Paul Jones noted that it is not a concern.

**Commissioner Ellertson made the motion to approve and authorize the agreement with the National Association of County and City Health Officials as specified in Regular Agenda Item No. 4. The motion was seconded by Commissioner Witney and carried with the following vote:**

**AYE: Gary J. Anderson  
Larry A. Ellertson  
Doug Witney  
NAY: None**

AGREEMENT NO. 2014-32

**6. APPROVE OR DENY A REQUEST FROM SPRINGVILLE ROTARY CLUB TO WAIVE THE EVENT PERMIT FEE IN THE AMOUNT OF \$300 FOR USE OF HOBBLE CREEK CANYON ROAD AND HOBBLE CREEK PARKWAY FOR THE POWERHOUSE 10K FUNDRAISER RACE TO BE HELD SEPTEMBER 27, 2014 *(Continued from the January 7, 2014 Commission meeting)***

Tyler Young of the Springville Rotary Club came forward to speak about the race; this is the first year it will be conducted. They have previously worked through another organization, and raised approximately \$10,000 during a half-marathon. He explained that 100% of proceeds go to charity, and Commissioner Anderson commended the fine work performed by his group.

**Commissioner Witney made the motion to waive the \$300 event permit fee for the Springville Rotary Club to use Hobble Creek Canyon Road and Hobble Creek Parkway for the Powerhouse 10K Fundraiser Race to be held September 27, 2014 as outlined in Regular Agenda Item No. 6, with the finding that the benefit to the community exceeds the monetary fees in fair and adequate consideration to the county. The motion was seconded by Commissioner Ellertson and carried with the following vote:**

UTAH COUNTY BOARD OF COMMISSIONERS  
MINUTES - January 14, 2014  
Page 5

AYE: Gary J. Anderson  
Larry A. Ellertson  
Doug Witney  
NAY: None

AGREEMENT NO. 2014-33

**9. APPROVE FINDINGS OF FACT, CONCLUSIONS OF LAW AND DECISION REGARDING THE BOX ELDER SOUTH SUBDIVISION, PLAT "A"**

Utah County Deputy Attorney David Shawcroft addressed an update to Paragraph 35 on Page 9 of the document; it should read "A condition for approval is that, upon the written request of Utah County, the Homeowner's Association shall collect an annual fire protection assessment, and/or an annual emergency medical services assessment, from each lot owner in such amount as determined by Utah County, and shall pay such collected assessment to the entity as designated by Utah County."

**Commissioner Ellertson made the motion to approve the Findings of Fact, Conclusions of Law and Decision regarding the Box Elder South Subdivision, Plat "A," with the changes defined in Regular Agenda Item No. 9. The motion was seconded by Commissioner Witney and carried with the following vote:**

AYE: Gary J. Anderson  
Larry A. Ellertson  
Doug Witney  
NAY: None

AGREEMENT NO. 2014-34

**10. ADOPT A RESOLUTION APPOINTING JOJI VAKALALA AS A UTAH COUNTY BAIL COMMISSIONER**

**Commissioner Ellertson made the motion to adopt the resolution appointing Joji Vakalala as a Utah County Bail Commissioner as described in Regular Agenda Item No. 10. The motion was seconded by Commissioner Witney and carried with the following vote:**

AYE: Gary J. Anderson  
Larry A. Ellertson  
Doug Witney  
NAY: None

RESOLUTION NO. 2014-4

At this point, the commissioners determined which closed meetings would be necessary to set and which could be stricken from the Regular Agenda.

**12. SET A DATE, TIME AND LOCATION FOR A CLOSED MEETING FOR A STRATEGY SESSION TO DISCUSS PENDING OR REASONABLY IMMINENT LITIGATION**  
STRICKEN

**13. SET A DATE, TIME AND LOCATION FOR A CLOSED MEETING FOR A STRATEGY SESSION TO DISCUSS THE PURCHASE, EXCHANGE, OR LEASE OF REAL PROPERTY**  
STRICKEN

**14. SET A DATE, TIME AND LOCATION FOR A CLOSED MEETING FOR A STRATEGY SESSION TO DISCUSS THE SALE OF REAL PROPERTY**  
STRICKEN

UTAH COUNTY BOARD OF COMMISSIONERS

MINUTES - January 14, 2014

Page 6

**15. SET A DATE, TIME AND LOCATION FOR A CLOSED MEETING TO DISCUSS COMMERCIAL INFORMATION AS DEFINED IN SECTION 59-1-404, U.C.A., AS AMENDED  
STRICKEN**

Commissioner Witney made the motion to strike Regular Agenda Item Nos. 12, 13, 14 and 15 to set dates, times and locations for closed meetings for a strategy session to discuss pending or reasonably imminent litigation; for a strategy session to discuss the purchase, exchange, or lease of real property; for a strategy session to discuss the sale of real property; and to discuss commercial information as defined in Section 59-1-404, U.C.A., as amended. The motion was seconded by Commissioner Ellertson and carried with the following vote:

**AYE: Gary J. Anderson  
Larry A. Ellertson  
Doug Witney  
NAY: None**

**11. SET A DATE, TIME AND LOCATION FOR A CLOSED MEETING TO DISCUSS THE CHARACTER, PROFESSIONAL COMPETENCE, OR PHYSICAL OR MENTAL HEALTH OF AN INDIVIDUAL OR INDIVIDUALS**

Commissioner Witney made the motion to set a date, time and location for a closed meeting to discuss the character, professional competence, or physical or mental health of an individual or individuals to immediately follow the public comment portion of the regular public meeting today in Room 1400 of the County Administration Building. The motion was seconded by Commissioner Ellertson and carried with the following vote:

**AYE: Gary J. Anderson  
Larry A. Ellertson  
Doug Witney  
NAY: None**

SET

**WORK SESSION**

NO WORK SESSION ITEMS WERE SUBMITTED

**PUBLIC COMMENTS**

There were no public comments and the meeting recessed at 9:21 A.M. to go into closed meetings. The public meeting reconvened at 9:45 A.M.

Commissioner Ellertson made the motion to adjourn the January 14, 2014 meeting of the Utah County Board of Commissioners. The motion was seconded by Commissioner Witney and carried with the following vote:

**AYE: Gary J. Anderson  
Larry A. Ellertson  
Doug Witney  
NAY: None**

UTAH COUNTY BOARD OF COMMISSIONERS  
MINUTES - January 14, 2014  
Page 7

There being no further business nor public comment, the meeting adjourned at 9:45 A.M. The minutes of the January 14, 2014 Commission Meeting were approved as transcribed on February 25, 2014.

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GARY J. ANDERSON, Commission Chair

ATTEST:

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BRYAN E. THOMPSON  
Utah County Clerk/Auditor